UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1994/SR.54/Add.1
22 March 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

Fiftieth session

SUMMARY RECORD OF THE 54th MEETING
(SECOND PART)*

Held at the Palais des Nations, Geneva,
on Thursday, 3 March 1994, at 7 p.m.

Chairman: Mr. URRUTIA (Peru)

later: Mr. NEAGU (Romania)

CONTENTS

Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, including:

(a) Question of human rights in Cyprus (continued)

* The summary record of the first part of the meeting appears as document E/CN.4/1994/SR.54.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.94-12320 (E)

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS

(agenda item 12) (continued) (E/CN.4/1994/3-6, 7 and Corr.1 and Add.1 and 2, 8, 46-61, 97, 102-104, 110, 115, 119 and 122; A/48/526 and Add.1, 561, 562, 573, 534, 600 and Add.1 and 601; E/CN.4/1994/NGO/7, 9, 12-15, 22-24, 26, 28, 29, 37, 40 and 42-44)

1. Mrs. MARKUS (Libyan Arab Jamahiriya) said that the principles and purposes of the Charter of the United Nations included the maintenance of international peace and security and cooperation among States to resolve economic problems and promote human rights. The protection of human rights should be based on principles of non-discrimination and neutrality and should never be used as a pretext for achieving political objectives. Moreover, all States had the duty to respect the principles of self-determination and sovereignty of States. To embody those principles, the United Nations had elaborated a number of human rights instruments, beginning with the Universal Declaration of Human Rights in 1948.

2. During the night of 15 April 1986 the people of her country had been awakened by bombs dropped from aircraft that had come from very remote airfields. The people of her country remembered 15 April every year. The same Governments that had sent those aircraft were imposing an embargo on her country, for reasons best known to themselves. She asked all peace-loving countries to take an unbiased stand and judge between her country and the countries responsible for the air raid and embargo.

3. The Libyan Arab Jamahiriya, a country of Islamic culture, had made significant contributions to the promotion of human rights and would continue to do so. Moreover, the People's Committees had promulgated the "Great Green Document on Human Rights" and other legislation protecting fundamental freedoms, and the Libyan Arab Jamahiriya had ratified more than 17 human rights instruments.

4. Respect for human rights was not incompatible with international commitments. Despite political, social and cultural differences, all countries should cooperate in order to guarantee human rights, on the basis of mutual respect and legality, refraining from the use of threats or embargoes.

5. In conclusion, her delegation wished to condemn the Israeli entity for the massacre that had taken place in the Mosque of Abraham at Hebron during the Ramadan prayers. As the Chairman had said, that was a terrorist crime, and she appealed to the Commission to aid the suffering Palestinian people to defend its territory.

6. Mr. de ROUX (Colombia), speaking as Presidential Advisor on Human Rights of the Republic of Colombia, said that his country was heavily affected by violence. Between 5,000 and 10,000 men were members of irregular groups in conflict with the State. Such groups were financed by kidnappings and drug-trafficking and did not hesitate to resort to extrajudicial executions, social cleansing operations and other reprehensible acts. The guerrillas' activities had in turn led to harsh and chaotic forms of paramilitary reaction. The drug traffickers had financed and hired the services of the largest and most dangerous paramilitary organizations. Political and drug-related violence had led to a social violence that pervaded Colombian society to the extent that 80 per cent of the homicides that occurred annually in Colombia were committed by people unconnected to either organization.

7. The State's share of responsibility for that situation had to be acknowledged, since it had failed to punish certain members of the military and police forces who had taken part in extrajudicial executions, disappearances and torture.

8. There were, however, some encouraging signs of improvement in the situation. According to information from non-governmental organizations, political assassinations, murders connected with social cleansing operations and politically-motivated disappearances had decreased in 1993 by percentages ranging from 23 to 66 per cent according to the category of crime. Three factors were responsible for that improvement.

9. First, the paramilitary operations had been dealt a heavy blow as a result of the State's pursuit of the major drug traffickers. The armed self-defence and paramilitary groups had been made illegal and explicitly and repeatedly repudiated by the authorities. Although some cooperation between members of the police and such irregular groups continued, it was less frequent than in the past, because the institutional permissiveness and legislative ambiguity that had fostered it had been eliminated.

10. A second factor responsible for the improvement was the "judicialization" of the internal conflict. Between 1990 and 1993 the government resources allocated to the administration of justice had doubled in real terms. An Office of the Procurator-General of the Nation had been established whose purpose was to coordinate all criminal investigations by the State; it encouraged direct intervention by members of the judiciary in operations conducted by the military and police forces against guerrilla groups and ordinary criminals.

11. To protect the members of the judiciary, special courts had been established, modelled after those in several European countries, which guaranteed anonymity for witnesses, prosecutors and judges. Because of the risks inherent in secret trials, the relevant legislation had recently been revised in order better to guarantee due process. The Government was prepared to explore additional guarantees but wished to point out that the requirements of due process had to be balanced against the protection of the right to life of witnesses, prosecutors and judges.

12. A third factor influencing the improvement in the situation was the development of human rights institutions and legislation. A constitutional reform in 1991 had established a broad "Charter of Rights", a remedy of protection and the office of the Ombudsman. The constitutional reform process had continued throughout 1993 and into 1994: A law had been enacted reforming the national police, establishing an internal disciplinary mechanism and a system of citizens' participation in police matters. Two other laws enacted during that period made human rights education compulsory for all university students in Colombia. A gun-control and gun-ownership statute had been enacted, and the Ministry of Defence and General Armed Forces Command had issued guidelines on the compulsory nature of international humanitarian law for the public forces and instituted educational programmes for them in that field. The Congress had also enacted a law making the enforced disappearance of persons a crime and laying down a special penalty for it. Both the Senate and the House of Representatives had established human rights commissions, and a human rights unit had been established in the Administrative Department of Security.

13. Although it was certainly not sufficient to establish new institutions, enact laws or launch government programmes to resolve human rights problems in a country such as Colombia, such initiatives helped to check further deterioration of human rights and to advance their cause in the country. The Ministry of Foreign Affairs had, through the Colombian Mission in Geneva, issued invitations to the Representative of the Secretary-General for internally-displaced persons and the Special Rapporteur on extrajudicial executions to visit Colombia to evaluate the human rights situation and make any recommendations they deemed appropriate.

14. The Government had also promised to submit legislation to Congress to meet Inter-American Commission on Human Rights recommendations on compensation in cases of human rights violations. It had also shown its willingness to accept the procedures for the amicable solution of certain of the cases currently before the Commission as well as the proceedings against Colombia currently before the Inter-American Court of Human Rights.

15. Mr. ZAHRAN (Observer for Egypt) congratulated the High Commissioner for Human Rights on his appointment and pledged his delegation's cooperation with the High Commissioner and the Centre for Human Rights in order to implement the Vienna Plan of Action.

16. The Commission had devoted two special sessions, and an entire agenda item at its forty-ninth session to the situation in Bosnia and Herzegovina. It might therefore have been thought that an issue of such importance would be given much more attention than it had received at the Commission's current session. For over two years, the brutal military aggression against Bosnia and Herzegovina had been continuing as part of an odious racist plot to empty the entire area of its Muslim inhabitants and eliminate its cultural and religious identity. His delegation condemned brutality, violence and the terrorizing of human beings, wherever it occurred in the world.

17. The anger of the international community had reached its zenith after the savage bombardment of Sarajevo by the Serb forces on 5 February 1994. His delegation condemned that brutality, as well as the massacre of Palestinians by an Israeli at the Mosque of Abraham in Hebron, and urged that protection should be given to all Palestinians and to the Muslims of Bosnia and Herzegovina.

18. The ultimatum that had been given to the Serbs and the fact that four Serb aircraft had been shot down were positive developments that should rapidly be followed by similar effective measures elsewhere. His delegation had hoped that the ultimatum would be applied strictly but statements by the UNPROFOR commanders indicated that at least one-third of the Serb heavy artillery was still within the embargo region. That could only be interpreted as Serb hypocrisy and failure to take the ultimatum seriously. The weakness with which the issue had been dealt would encourage the Serbs to continue to go back on their commitments, the results of which could not but be tragic.

19. His delegation had repeatedly expressed its views on what was happening in the region, most recently on 14 February 1994 before the Security Council, and also through the statement adopted by the ministerial meeting of the Liaison Group of the Organization of the Islamic Conference (OIC). His Government demanded that strong action be taken in response to the aggression being waged against the people of Bosnia and Herzegovina, including coercive measures under Chapter VII of the Charter of the United Nations, and that the people of Bosnia and Herzegovina be allowed to exercise its right of self-defence through the lifting of the military embargo adopted by the United Nations Security Council in resolution 713 (1991). The aggressor must be clearly identified, ethnic cleansing recognized as a crime of genocide and the perpetrators brought to justice.

20. Any solution concerning Bosnia and Herzegovina must be in conformity with the Charter, and the acquisition of territory by force must be rejected, in order to avoid rewarding the aggressor. His delegation welcomed the statement by the Special Rapporteur on Bosnia and Herzegovina and fully supported the measures he requested to put an end to the criminal practices in Bosnia and Herzegovina. He also welcomed the establishment of the Commission of Experts by Security Council resolution 780 (1992) and the International Tribunal by Security Council resolution 829 (1993). Both bodies should be given all the resources and the time they needed to complete their work.

21. The Commission had a particular duty to deal severely with the crimes being committed in Bosnia and Herzegovina. Its resolutions should identify the aggressor clearly and acknowledge that the policy of ethnic cleansing was one of genocide, in order that all refugees and displaced persons might return home and all the other fundamental principles of international law be reaffirmed.

22. Mr. AMOO-GOTTFRIED (Observer for Ghana) said that the Commission was meeting at a time when the human rights situation in the world appeared to be at its bleakest. Even after the World Conference on Human Rights in Vienna, massive human rights violations continued and were even worsening.

Nevertheless, that Conference had achieved several goals, including the reaffirmation of the universality, interdependence and interrelationship of all human rights and the underscoring of the fact that it was the legitimate concern of the international community to protect and promote human rights everywhere.

23. Ghana, the first country south of the Sahara to achieve independence, had learned the hard way that independence and sovereignty were not ends in themselves. They were essentially instruments with which to build a united nation in which the welfare and respect of the human rights of each individual were guarantees of the peace and security of all. Moreover, the world was moving towards a new era which required a review of the traditional concepts of sovereignty and non-interference in the internal affairs of other countries. The response of the international community to armed conflicts in Liberia, Somalia, Bosnia and elsewhere attested to that need.

24. The Commission must avoid being partial or selective in dealing with human rights violations, and it was in that spirit that his delegation welcomed the General Assembly's establishment of the post of High Commissioner for Human Rights and the appointment of Mr. José Ayala Lasso to the post.

25. Optimism must, however, be tempered with realism. There was a limit to the international community's resources for coping with human rights violations in the world. Already peace-keeping fatigue had been noted on the part of some of the countries contributing troops to United Nations peace-keeping efforts.

26. Ghana, however, was continuing its participation in United Nations peace-keeping efforts throughout the world. Although it had been constrained to review its participation in peace-keeping operations in Liberia, it was sending over 1,000 officers and men to Rwanda as part of the United Nations assistance mission there.

27. As the High Commissioner for Human Rights had stressed, the solution to human rights abuse lay not in the appointment of rapporteurs or engagement in unlimited peace-keeping, but in the hearts and minds of men. Human rights should be taught in places of education from the elementary to the university level. Non-governmental organizations should redouble their efforts to enable people to hold their Governments accountable, and Governments should hold each other responsible for their human rights record. That should be done not in a spirit of confrontation or recrimination, but in a spirit of brotherhood and international solidarity. When a so-called independent and sovereign State collapsed or became ungovernable, it was the international community that had to pick up the pieces and restore peace and security to the country concerned.

28. Mr. HJELDE (Observer for Norway) said that his country was deeply committed to the task of building a just world based on human rights. Regardless of economic obstacles, all governments must comply with their obligation to respect the integrity of every human being. His delegation was also concerned at the suffering of the hundreds of millions of people living in extreme poverty and of the millions of refugees and displaced persons. In

connection with the latter, it called on the Commission to build on the principles of the Vienna Declaration with regard to the observance and enforcement of minimum standards - admitting no derogation - for protection of human rights in all situations including internal disturbance, civil and political strife and emergency situations.

29. The increase of racism in Europe demonstrated the need for concerted action at the regional level. His Government welcomed the adoption by the Council of Europe, at its Summit in October 1993, of a comprehensive Plan of Action against Racism.

30. The Special Rapporteur on the former Yugoslavia had again presented to the Commission evidence of the persistence of gross human rights violations in that country. The recent attacks against innocent civilians in Sarajevo were a reminder that the civilian population continued to be the main victim of the war in Bosnia and Herzegovina and underscored the urgent need to reach a political solution to the conflict. Only a negotiated settlement could end the abhorrent practice of torture and violence and the savage attacks against members of international organizations in complete disrespect for international humanitarian law. His delegation also regretted the continued oppression and harassment of the Albanian population in the Serbian province of Kosovo and urged the parties to that conflict to avoid confrontation and resume talks.

31. His Government supported the work of the international Commission of Experts, established to analyse the evidence of atrocities committed in the territory of the former Yugoslavia, and that of the international tribunal established pursuant to Security Council resolution 808 (1993) to try those accused of atrocities.

32. It was more important than ever that the international community should stand united behind the efforts, spearheaded by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, to reach a negotiated settlement. His Government intended to maintain its considerable contribution to the international efforts to bring humanitarian aid to the refugees and internally displaced persons and to bring the perpetrators of war crimes to justice.

33. The Caucasus region continued to be marked by ethnic tension and conflicts. His Government supported efforts being made by the Conference on Security and Cooperation in Europe and the United Nations to assist the parties involved and to reach agreements on peace-keeping missions, including human rights monitoring. Political solutions must include guarantees for human rights observance.

34. In south-eastern Turkey, his Government condemned the terrorism employed by the PKK movement, but it believed that Turkey's right to fight terrorism must be exercised in full compliance with basic human rights. Reports of widespread torture gave rise to particular concern.

35. His delegation welcomed the fact that, in Africa, human rights and multiparty democracy were increasingly being accepted as the guiding principles for political and social development. At the same time, it was deeply distressed by the tremendous suffering caused by continuing ethnic conflicts and local wars in many parts of that continent. All the parties concerned must work for a speedy solution to the conflicts in Angola, Somalia, Burundi and Zaire.

36. In the Sudan, an intensification of military offensives in the southern parts of the country had unleashed a new flood of refugees. His delegation noted with concern the conclusions in the report of the Special Rapporteur on the situation of human rights in the Sudan that grave and widespread violations of rights by both Government agents and SPLA factions continued to take place. It deplored the fact that several persons had been subjected to reprisals after speaking to the Special Rapporteur and appealed to the Government of the Sudan to refrain from new military operations and seek a peaceful solution to the disputes.

37. South Africa was in the process of preparing the first democratic elections, to be held in April 1994. His delegation expected all parties in the country to respect and protect the right to vote and to refrain from threatening violence.

38. In Iraq, well-documented information continued to reveal a pattern of flagrant violations of human rights. His Government was particularly concerned at the subjugation of the marsh Arabs and the repressive policies directed against the Kurds. It joined with others in demanding that the Government of Iraq should permit the human rights monitoring proposed by the Special Rapporteur (E/CN.4/1994/58).

39. The human rights situation in the Islamic Republic of Iran, as presented in the report of the Special Representative (E/CN.4/1994/50), continued to cause grave concern, particularly the persistently high number of executions, the severe restrictions on freedom of expression and association and the discrimination on the ground of religious belief. His delegation was dismayed at the killing of a prominent Armenian, Pastor Haik Hovsepian, and strongly urged the Iranian authorities to bring the perpetrators to justice. His Government condemned the death sentence imposed upon Salman Rushdie and once more urged the Iranian Government to disassociate itself from and reject such intolerable threats.

40. A repressive policy persisted, in North Korea marked by a rigidly-policed society, restricted freedom of movement, disappearances and maltreatment of prisoners. He appealed to the North Korean authorities to release all political prisoners and to comply with international human rights standards.

41. Despite some signs of improvement, the situation in Myanmar continued to be marked by persistent and grave violations of human rights. His Government appealed to the authorities there to ensure full respect for human rights, including the rights of ethnic minorities, to release Daw Aung San Suu Kyi and other political detainees, to allow freedom of movement and to respect the right of the people of Myanmar to choose their own Government.

42. Despite recent concessions to international human rights demands, the situation in China, including Tibet, continued to cause concern. He appealed to the Government of China to make further efforts to guarantee the observance of human rights, to release all political prisoners and to respect the ethnic, cultural and religious identity of the Tibetan people.

43. In Kashmir, the security forces were under an obligation to observe human rights and the rule of law when combating insurgency and terrorism. In Sri Lanka, while appreciating the Government's efforts to improve the human rights situation there, his delegation was concerned at new reports of violations and the increase in the number of arbitrary detentions. It condemned the use of violence for whatever purpose by either party.

44. There had been some positive developments in East Timor, including the invitation extended by the Indonesian Government to the personal envoy of the Secretary-General and the Special Rapporteur on summary and arbitrary executions. He urged the Government of Indonesia to take further action to improve the human rights situation and to account fully for those missing since 11 November 1991.

45. The Government of Cuba was urged to reconsider its current policy and to ensure full respect for human rights and democracy for the people of Cuba, and to reconsider its refusal to cooperate with the Special Rapporteur. In El Salvador, the end of the armed conflict stood out as a major achievement, but the peace was fragile. Both parties were called upon to show restraint and to do their utmost to comply with agreed obligations and pay full respect to human rights. After a deadlocked situation since May 1993, there were signs that the peace process in Guatemala was gaining momentum. However, as the human rights situation was still a cause for grave concern, his delegation urged the Government of Guatemala to use all possible means to ensure the human rights of all segments of the population.

46. Lastly, he wished to pay tribute to the special rapporteurs of the Commission, the non-governmental organizations and all human rights defenders and to pledge his Government's support and cooperation to the newly-appointed High Commissioner for Human Rights.

Statements in exercise of the right of reply

47. Mrs. MARKIDES (Cyprus) said that the Turkish Cypriots had lived peacefully, intermingled with their Greek Cypriot compatriots, for ages. She expressed surprise at the Turkish Observer's statement that, because of the relatively high per capita income of the people living in the area under the effective control of the Government, the refugees who had been forcibly expelled from the occupied area should not exercise their right to return to their homes. Linking per capita income to the exercise of human rights was inconceivable.

48. Turning to the Turkish Observer's allegation that a population exchange had taken place under an agreement, she suggested that Turkey should abide by the provisions of that agreement, known as the Vienna III Agreement, which

provided for the restoration and protection of the human rights of the Greek Cypriots living in the occupied area. She also informed the Turkish Observer that there was no "Turkish Cypriot people" in Cyprus, but a Turkish Cypriot community that constituted 18 per cent of the population of Cyprus. She had been pleased to hear that the Turkish side wanted a negotiated settlement of the Cyprus problem. Instead of continuing the expulsion of the remaining enclaved persons from the occupied area, it should display goodwill at the negotiations under way in Nicosia.

49. Mr. ADALI (Observer for Turkey), said that the Turkish Cypriots were unfortunately not represented in the Commission, an injustice that should be corrected.

50. The human rights problem in Cyprus was the result of a political problem that dated back to 1963, when a surprise armed onslaught unleashed by the Greek Cypriots against the Turkish Cypriots had destroyed the constitutional order and enabled the Greek Cypriots to usurp the powers of the State. The events had caused severe human rights violations for the Turkish Cypriots, including deaths, enforced disappearances, internal displacements and the destruction of entire villages, all of which was documented in the reports of United Nations bodies.

51. Despite the United Nations peace-keeping efforts and the ongoing political dialogue, the Turkish Cypriots had, from 1963 to 1974, been subjected to a blockade and a virtual war of attrition by the Greek Cypriots. At that point, on 15 July 1974, the Greek Cypriot leader, Makarios, had been overthrown by a violent coup d'état engineered by the military junta then ruling Greece. The coup had lasted for five days and caused thousands of deaths and missing persons. Turkey's intervention, which had been based on the relevant international agreements, had saved the independence of the island and the lives of the Turkish Cypriots.

52. It was against that tragic background that every allegation by the representative of Cyprus must be examined. Those allegations were inconsistent with paragraphs 20 to 25 of the Secretary-General's report to the Commission (E/CN.4/1994/46). The question of internally-displaced persons in Cyprus had to be considered in the context of agreements between the two sides on exchanges of population.

53. The Turkish Cypriot side had accepted the Varosha/Nicosia International Airport package of confidence-building measures proposed by the Secretary-General as a means of creating an area under United Nations administration to provide opportunities for intercommunal contact and trade and for the partial improvement of the embargo against the Turkish Cypriot community with regard to travel and external trade. All other aspects of Turkish Cypriot life unfortunately remained unaddressed.

54. DAW YIN YIN MYINT (Observer for Myanmar) said that the individual who had spoken under the auspices of the non-governmental organization called the International Peace Bureau was actually the head of the self-styled "National

Coalition Government of the Union of Burma", an illegal group that was based outside Myanmar and was actively engaged in armed warfare against the Government of Myanmar. Her delegation most strongly protested the use of the Commission by a non-governmental organization to undermine a Member State.

55. Mr. ALKADHI (Observer for Iraq) said that his country had been the target of an unacceptable attack by the European Union and a number of other European States. Those prearranged positions had nothing to do with human rights but were part of a Western plot against his country. As everyone knew, if the interests of certain influential European States were threatened, those States turned into warmongers and totally ignored the principles they ostensibly upheld. Examples, of which there were thousands, included their participation in the destruction of Iraq and the fact that they were starving the Iraqi people under cover of the embargo.

56. While asserting that they were the only defenders of human rights, those States violated the basic principles of humanity, especially in third-world countries. That policy had had negative effects on the work of the United Nations and the Commission on Human Rights itself, for the peoples of the third world were beginning to lose confidence in such allegations of human rights abuses. They had suffered too long from the European States' selectiveness, double standard policy and use or threat of force, which harked back to the carving-up of the world among the victor States after the First World War.

57. It was illogical to invoke Iraq's responsibility in Kurdistan, a region that was under the protection of the Coalition forces. It was difficult to understand how Iraq could have responsibilities in a region that was not under its control. It appeared that the problem in Iraqi Kurdistan had turned into one of electricity supplies in Dohuk, which, of course, had nothing to do with the lifting of the embargo against Iraq so that it could buy the necessary spare parts and resolve the problem in Kurdistan and elsewhere in Iraq.

58. Mr. QADER (Bangladesh) said that the incident at Naniarchar referred to by the representative of the International Commission of Jurists had consisted of a clash between two groups of people that had resulted in the deaths of 12 persons and injuries to others. His Government deeply regretted the incident, which had got out of hand and escaped the control of the law-enforcement agencies, and had promised compensation to the families affected. It had also opened an investigation and intended to take the appropriate action as prescribed by the law.

59. The Naniarchar incident had not been due to lack of sincerity on the part of the Government as was evidenced by the fact that it had had no impact on the ongoing political dialogue with the Chakma leadership. In fact, the leaders of the Chakma insurgency group had recently sat down with a Government delegation in Bangladesh to finalize arrangements for the return of the tribal refugees to their homes in Bangladesh. Naturally those who did not want political reconciliation among Bangladeshis were upset about those positive developments and were trying to raise issues that had no basis in fact. The history of Bangladesh was typified by harmonious and healthy inter-communal relations, notwithstanding such small incidents as were bound to happen in a country of 120 million people.

60. A similar reply might be made to the representative of the International Movement against All Forms of Discrimination and Racism. If the team of tribal refugees had in fact found the area militarized and not conducive to their return, it was difficult to understand why the refugees had been returning in their thousands since 15 February 1994. It was clear that some agencies wished to make mountains out of molehills and light the fires of communalism where none existed.

61. In conclusion, he asked those who really wished to help his country to refrain from spreading baseless allegations such as that of temples being used as army camps. No one in their wildest dreams could imagine God-fearing Bangladeshis committing such acts.

62. Mr. REYES (Cuba) said that the delegations of Austria, Norway and Sweden were attempting to hide their own problems by accusing others. His delegation urged the Governments of those countries to invite the Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance to visit their countries to study those phenomena, which occurred systematically in their territories. With regard to Sweden in particular, the Special Rapporteur should look into the arbitrary treatment and attacks that had occurred against refugees and immigrants of Latin American origin. In the case of Australia, an independent expert of the Sub-Commission on Prevention of Discrimination and Protection of Minorities should be asked to study the reports of violations of the rights of indigenous peoples.

63. The Commission had listened to supposed representatives of religious sectors deliver an obviously political message that was far removed from the religious faith they claimed to profess. It was not surprising that there were no black people or people of mixed blood in their ranks, since they were members of the racist elite that had for years enriched itself through the sweat and blood of the Cuban people. Their much-talked-of letter had been drafted by a small number of people, whereas only silence surrounded the subsequent letters from tens of thousands of Cubans of all faiths and creeds in support of their people and its revolution.

64. Those supposed priests supported the criminal blockade by the United States against Cuba, preventing access by Cuban children to the food and medicine they needed, and allowed themselves to be used by the United States and the far right-wing Cubans in Miami to manipulate religious feeling in order to break the resistance of the Cuban people.

65. As for those who spoke of limitations on trade-union rights in Cuba, at that very moment thousands of Cuban trade-union organizations were holding discussions and submitting proposals to the Government for the elaboration of its economic programme. Not many countries existed where that would be feasible, and especially not in the West.

66. Mr. PAK Dok Hun (Observer for the Democratic People's Republic of Korea), said that the European Union's concern over the human rights situation in his country had coincided with its campaign against his country over the so-called

nuclear issue. His delegation rejected the Union's assertions as misinformation and distortion. The European Union was clearly pursuing a political purpose in dealing with the human rights situation of individual countries. Its human rights principles differed from country to country and region to region according to its geostrategic purpose and economic interests.

67. The Union should deal first with the reports in its own region of ill-treatment and torture by police, prison officers and security agents, excessive use of lethal weapons and xenophobia. The recommendations of the United Nations human rights monitoring bodies showed that the human rights observance of the countries of the European Union were a long way from the requirements of the international conventions.

68. His delegation would not comment on the statements by the representatives of Australia and Norway, who did not even know the name of the country whose image they were trying to tarnish.

69. Mr. KAUL (India) said that he and other Kashmiris were convinced that their destiny lay with India and that secular democracy was the only way to create a harmonious, peaceful and progressive society in that country. India was not a Hindu State but a multilingual and multireligious country, with 10 million Buddhists, over 10 million Sikhs, 15 million Christians and 140 million Muslims in a population of approximately 900 million.

70. It was strange that not a single non-Muslim had ever held the office of President of Pakistan, while two Indian Presidents and many cabinet ministers had been Muslims. Nevertheless, he welcomed the statement that the Government of Pakistan was unconditionally devoted to the promotion and protection of the human rights of its people and particularly the more vulnerable sections such as women and children. In that connection, he hoped that women's evidence would henceforth be given the same weight as men's, and not only half, as was currently the case in Pakistan, and also that minorities would be permitted to enjoy equal rights, which they currently did not.

71. The remarks by the representative of Pakistan were neither justified nor factually correct. In fact, they reflected the condition of people living in Pakistan-occupied Kashmir and the northern territories, rather than in the Indian side of Kashmir. In the northern territories and POK, free and fair elections had not yet been held, and fundamental freedoms were suppressed ruthlessly. Even inside Pakistan, atrocities committed by the Pakistan army and security forces were well-known.

72. His delegation objected to the internationalization of bilateral problems. The Simla Agreement established the principles for settling conflicts peacefully and bilaterally by India and Pakistan, and enjoined both countries not to upset the line of control through force or threat of force. For the past four years, Pakistan had been setting up training bases in Pakistan-occupied Kashmir and inside Pakistan and was guiding them to commit acts of sabotage and subversion, looting and arson in Punjab and the Indian State of Jammu and Kashmir, in blatant violation of that Agreement. Its failure in both areas explained its current attempt to internationalize the problem.

73. The Simla Agreement mentioned durable peace and normalization of relations, including the question of repatriation of prisoners abroad and civilian internees, a final settlement of the question of Jammu and Kashmir and the resumption of diplomatic relations. Apart from the last point and the repatriation of 93,000 prisoners-of-war and civilian internees, those provisions had been completely ignored by Pakistan. The late President Bhutto had been willing to prepare the ground for the settlement of the question of Jammu and Kashmir but had unfortunately been prevented from doing so by the military clique in Pakistan which had ultimately succeeded in organizing his judicial murder.

74. His Government's return of over 5,000 square miles of territory, which it had occupied as a result of the 1971 war, had been a rare event in recent history. However, instead of appreciating that friendly approach, the military rulers of Pakistan had launched a campaign of hatred, subversion and sabotage against India.

75. The Government of India's record was second to none in upholding the fundamental freedoms of its people, including those of Jammu and Kashmir. However, no Government worth its salt could fail to protect its people against crimes instigated by the authorities of a neighbouring country.

The meeting rose at midnight.